

Remarks

Reconsideration and withdrawal of the rejections of the claims, in view of the amendments and remarks herein, is respectfully requested. Claims 1, 5 and 87 are amended, and claim 85 is canceled. The amendments are intended to further prosecution and are not intended to concede to the correctness of the Examiner's position or to prejudice the prosecution of the claims prior to amendment, which claims are present in an application related to the present application. Claims 1-12, 29-84, and 86-87 are now pending in this application.

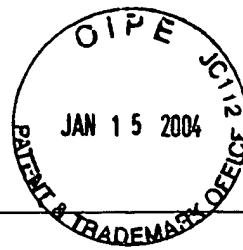
Amended claim 1 is supported, for example, by originally-filed claims 1 and 5, and at page 4, lines 29-31, page 20, lines 23-33, and page 21, lines 3-5 of the specification.

Amended claim 87 is supported, for example, by originally-filed claims 1 and 5, and at page 4, lines 14-17 and 29-31, page 5, lines 26-31, page 20, lines 23-33, and page 21, lines 3-5 of the specification.

Amended claim 5 is supported, for instance, at page 21, lines 3-5 of the specification

The Examiner rejected claims 1-12, 29-36 and 83-87 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The amendment to part a) of claims 1 and 87 renders this rejection moot.

The Examiner rejected claims 1, 4-5, 10, 12, and 87 under 35 U.S.C. § 102(b) as being anticipated by Ferrari et al. (J. Virol., 70:3227-3234 (1996)). Ferrari et al. do not teach identifying an agent that enhances adeno-associated virus transduction after viral binding to the cell membrane and before second strand synthesis, which yields an expressible form of the viral genome. Accordingly, withdrawal of the § 102(b) rejection is appropriate and is respectfully requested.



Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney ((612) 373-6959) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743

Respectfully submitted,

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Date

January 12, 2004

By

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 12 day of January, 2004.

Candis B. Buending

Name

[Signature]
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